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FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

JUN 22 2005

at 10 o'clock and 55 min. M
SUE BOUTA, CLERK

Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. CRO5 00261 HG
)	
Plaintiff,)	INDICTMENT
)	
vs.)	[18 U.S.C. § 1951;
)	18 U.S.C. § 2;
JAMES TROIANO, (01))	18 U.S.C. § 924(c)(1)]
aka: "JOHN KLATT,")	
WENDELL K. TOKI, (02))	
)	
Defendants.)	
)	

I N D I C T M E N T

COUNT 1

(Conspiracy to Commit Hobbs Act Robbery)

The Grand Jury charges that:

From dates unknown to the Grand Jury to on or about May
9, 2005, in the District of Hawaii, the defendants JAMES TROIANO,

aka "JOHN KLATT," and WENDELL K. TOKI, did unlawfully, knowingly, and willfully conspire with others known and unknown to the Grand Jury to obstruct and affect commerce as that term is defined in Title 18, United States Code, Section 1951, and the movement of articles and commodities in such commerce, by robbery as that term is defined in Title 18, United States Code, Section 1951, in that the defendant did unlawfully, knowingly, and willfully take and obtain personal property consisting of money from the person and in the presence of M.A., the owner of Agader-Silver, Incorporated, doing business as "The Brown Bottle," which engages in interstate commerce, against his will by means of actual and threatened force, violence, and fear of injury, immediate and future, to his person.

All in violation of Title 18, United States Code, Section 1951(a) and 2.

COUNT 2

(Hobbs Act)

The Grand Jury further charges that:

On or about May 9, 2005, in the District of Hawaii, the defendants JAMES TROIANO, aka "JOHN KLATT," and WENDELL K. TOKI, did unlawfully, knowingly, and willfully obstruct and affect with others known and unknown to the Grand Jury, commerce as that term is defined in Title 18, United States Code, Section 1951, and the movement of articles and commodities in such commerce, by robbery

as that term is defined in Title 18, United States Code, Section 1951, in that the defendant did unlawfully, knowingly, and willfully take and obtain personal property consisting of money from the person and in the presence of M.A., the owner of Agader-Silver, Incorporated, doing business as "The Brown Bottle," which engages in interstate commerce, against his will by means of actual and threatened force, violence, and fear of injury, immediate and future, to his person.

All in violation of Title 18, United States Code, Section 1951(a) and 2.

COUNT 3

(Use of Firearm During Hobbs Act Robbery)

The Grand Jury further charges that:

On or about May 9, 2005, in the District of Hawaii, the defendant JAMES TROIANO, aka "JOHN KLATT," did knowingly carry and brandish a firearm, to wit: a Colt .45 black pistol bearing serial number #CLW23025, during and in relation to a crime of violence, as that term is defined in Title 18, United States Code, Section 924(c)(3), to wit: conspiracy and Hobbs Act robbery as charged in Counts 1 and 2.

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All in violation of Title 18, United States Code,
Section 924(c)(1).


DATED: June 22, 2005 at Honolulu, Hawaii.


TRUE BILL

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FOREPERSON, Grand Jury

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